

**CHAPTER NO. 329**

**SENATE BILL NO. 757**

**By Burchett, Beavers, Black, Bryson, Burks, Chism, Cohen, Cooper, Crowe, Crutchfield, Finney, Ford, Fowler, Hagood, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Curtis S. Person, Jr., Ramsey, Southerland, Tracy, Williams, Mr. Speaker Wilder**

**Substituted for: House Bill No. 1791**

**By Hensley, Gresham, Niceley**

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 4 and Title 49, Chapter 7, relative to smoking in certain higher education facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding a new section thereto, as follows:

Section 49-7-135. (a) The University of Tennessee and the board of regents may adopt uniform policies prohibiting smoking in all student dormitories.

(b) With respect to public institutions of higher education, upon the adoption of smoking policies by the administrative head of such institution, the administrative head is not required to provide an indoors smoking area in each student dormitory or other facility. The administrative head of each institution is encouraged to provide for reasonable smoke-free zones at all building entrances and exits.

SECTION 2. Tennessee Code Annotated, Section 4-4-121(c), is amended to designate the existing language as subdivision (1), and by adding the following language to be designated as subdivision (2):

(2) With respect to public institutions of higher education, upon the adoption of smoking policies by the administrative head of such institution, the administrative head is not required to provide an indoors smoking area in each student dormitory or other facilities.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 25, 2005

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 7<sup>th</sup> day of June 2005

  
PHIL BREDESEN, GOVERNOR